



SDMS Document ID



2162884

EPA NO. 03910082

FILE NO. B3-29

2162884

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18TH STREET - SUITE 300

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

July 7, 2004

Ref: 8ENF-L

SENT VIA FACSIMILE AND REGULAR MAIL

Chris Gypton, Project Manager-Senior Engineer
Hecla Mining Company
6500 Mineral Drive, Suite 200
Coeur d'Alene, ID 83815-9498

Re: Hecla Mining Co., Docket No. RCRA-8-99-06
Final Closure Work Plan Approval

Dear Mr. Gypton:

The Environmental Protection Agency Region 8 (EPA) hereby approves the final closure work plan for the Apex Site Pond 2, submitted to EPA by Hecla Mining Company on March 25, 2004. This document shall be attached to and referenced as Attachment A, Closure Work Plan, in the administrative order on consent to be entered into by Hecla and EPA in the above-cited matter, pursuant to section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973. EPA's approval is based on review of the draft final closure work plan, review and comment on the initial draft closure work plan document, dated August 17, 2003, and a comprehensive investigation and analysis of Pond 2 beginning with EPA's initial inspection of Pond 2 in 1998. EPA coordinated with the Paiute Indian Tribe and the Shivwits Band of Paiute Indian Tribe prior to approving the draft final closure work plan to the greatest extent practicable.

It is EPA's understanding that based on this approval, Hecla will commence with Phase 1 of the final closure construction activities, drainage and consolidation, on or about July 15, 2004. Please note that EPA's approval is not based on review and comment of the draft final closure work plan by the Bureau of Indian Affairs, Western Regional Office (BIA). BIA plans to retain a consultant to independently review and comment on the draft final closure work plan on its behalf. Any resulting comments or requests for clarification regarding the draft final closure work plan following BIA's review will be submitted to Hecla for consideration separate and apart from EPA's approval.

Please do not hesitate to write or call Eric Johnson, Environmental Scientist, if you have any questions. Mr. Johnson's telephone number is (303) 312-6357. His e-mail address is johnson.ericr@epa.gov.

Sincerely,



Sharon L. Kercher, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Chris Gypton, Hecla Mining Co.
John N. Galbavy, Hecla Mining Co.
John R. Jacus, Esq., Davis, Graham & Stubbs
Glenn Rogers, Shivwits Band of Paiute
Tara Marlow, Paiute Tribe
Tod J. Smith, Whiteing & Smith
John Krause, BIA Western Regional Office

U89848
B-S

bcc: Eric Johnson, 8ENF-RC
Amy Swanson, 8ENF-L
Donna Jackson, 8P-TA